

Minutes: Virginia Board of Education  
Committee to Implement the No Child Left Behind Act (NCLB)  
Date: March 25, 2003  
Location: Senate Room B  
General Assembly Building

The agenda included the following presentations:

- Revisions to the Consolidated State Application Accountability Workbook
- Results of Department of Education Review Panel of Locally Developed and/or Selected Assessments to Measure English Language Proficiency
- Overview of areas of change for the Teacher Licensure Regulations related to NCLB

Dr. Cheri Magill presented the revisions to the Consolidated State Application Accountability Workbook. The revised workbook is available on the Department of Education's Web site. Revisions were made to Critical Elements 1.1, 1.4, 1.6, 5.1, 9.1, and 9.2. The revisions included:

#### Critical Element 1.1

**Students in state-operated programs and the schools for the deaf, blind and multi-disabled will be accounted for in state-level calculations of adequate yearly progress.**

**Schools operated by the Department of Correctional Education are not public schools under the authority of the SEA and, thus, are not required to participate in the state accountability program.**

#### Critical Element 1.4

**In Virginia, the date that the school term ends in the various local educational agencies (LEAs) varies from mid-May to mid-June. At the present, the Virginia Board of Education's policy regarding testing calendars allows LEAs to test as late as the last day of school. Beginning with the spring 2003 test administration, the Virginia Department of Education (VDOE) will begin receiving copies of the student level files sent from the testing contractor to LEAs as the files are completed. Because of the flexibility that localities have in setting their testing calendars, this will result in VDOE receiving multiple files representing various LEAs, rather than one file, that includes all the LEAs in the state. However, this process will allow DOE to receive files by mid-summer so that AYP can be calculated and schools can be informed of their status before the opening of school.**

#### Critical Element 1.6

**A Title I school or an LEA will be identified for improvement/corrective action and sanctions in accordance with NCLB if it does not make AYP in the same area for two or more consecutive years. A non-Title I school will be identified for**

sanctions if it does not make AYP in the same area for two or more consecutive years.

Sanctions for non-Title I schools are as follows:

Not making AYP for two consecutive years in the same area

- Analyze relevant data.
- Develop a school improvement plan or revise the current school improvement plan to include strategies and use of resources that address the area of need, consistent with guidelines determined by the LEA.

Not making AYP for subsequent consecutive years in the same area

- Continue to analyze data and revise the school improvement plan.
- Take additional corrective actions specified by the LEA.

Beginning with the 2002-2003 school year, division-wide student performance data will be compiled to identify divisions (LEAs) not making AYP. Data from successive years will be used to determine whether or not the LEA is identified for improvement. Rewards and sanctions will be applied to LEAs in improvement consistent with NCLB section 1116(c).

Critical Element 5.1

The major racial/ethnic groups in Virginia have been identified as White (not of Hispanic origin), Black (not of Hispanic origin), and Hispanic.

Critical Element 9.1

Decision consistency and estimates of school level reliability will be computed after each spring administration using the methodology outlined in “Determining the Reliability of School Scores,” Hill and DePascale, 2002. Virginia will continue to review new methodologies and add to, or adjust, the method for calculating these estimates as improvements in the research emerge. Additionally, for test level information, decision consistency, reliability, and estimates of testing error will continue to be reported every year after the spring administration. These statistics include: Livingston and Lewis decision consistency and accuracy; KR 20s; classical SEMs; conditional SEMs; and inter-rater reliability. More details about these analyses can be viewed in the technical manuals at: <http://www.pen.k12.va.us/VDOE/Assessment/home.shtml>

Critical Element 9.2

Because Virginia’s accountability system is primarily based on results from the Standards of Learning tests, the basis for the validity of the accountability program may be found in the validity of the Standards of Learning testing program. The validity of Virginia’s testing program is both explicitly studied and implicitly “built in” to the development of the tests. The following are validity studies that have been conducted: “Study of the Effectiveness of the Virginia Standards of Learning (SOL) Reform,” Standards Work, 2003 <http://www.pen.k12.va.us/VDOE/Instruction/VASOLstudy.pdf>;

**“Review of Selected Technical Characteristics of the Virginia Standards of Learning (SOL) Assessments,” Hambleton, R.K., Crocker, L., Cruse, K., Dodd, B., Plake, B., and Poggio, J. 2001.**

**<http://www.pen.k12.va.us/VDOE/Assessment/virginiareport.pdf>**;

**“Standards of Learning (SOL) Tests Validity and Reliability Information: Spring 1998 Administration,” Phillips, S.E., Lenke, J., McMillan, J., Moon, T. 1999**

**<http://www.pen.k12.va.us/VDOE/Assessment/validity.PDF>**

**The implicitly “built in” validity of the tests lies in the content validation that takes place at several steps during the development of the test items. That is, at three separate times during the development of the test items, groups of teachers and content experts examine the items and confirm that the items match the content that it purports to measure. An extensive discussion of the procedure to ensure content validity can be found in any of the technical manuals for the testing program. <http://www.pen.k12.va.us/VDOE/Assessment/home.shtml>**

**The appeals process includes the following:**

- 1. Criteria and circumstances forming the basis of an appeal**
- 2. Time period for appeals for claims of errors in scoring or reporting of data**
- 3. Demonstration of basis for appeal through supporting evidence by the school division and/or school**
- 4. Audit of information and data related to the appeal by the DOE**
- 5. Time period for review of appeal and determination of result**
- 6. Written notification of decision to division superintendent**

**Upon meeting the appeals process criteria for the re-evaluation of a determination or identification for improvement, sanctions, or corrective action, a division superintendent has the right to appeal. A superintendent must complete an *Appeals Report* and provide it to the Department of Education within **15** calendar days, consistent with the No Child Left Behind Act.**

**The Department of Education, on behalf of the Board of Education, will make a decision regarding the appeal within 15 calendar days. The decision by the department is final.**

Ms. Roberta Schlicher presented the results of Department of Education Review Panel of Locally Developed and/or Selected Assessments to Measure English Language Proficiency, to be used for the 2002-2003 school year only. The panel reviewed requests received from school divisions and made recommendations to the Board of Education that the school divisions in Alexandria, Arlington, Fairfax, Prince William, and Rockingham have their locally developed/selected assessments approved. A list of these locally developed/selected assessments may be found at

<http://www.pen.k12.va.us/VDOE/Instruction/ESL/AssessmentInstruments.pdf>

Dr. Thomas Elliott presented the overview of proposed changes for the teacher licensure regulations related to NCLB. The revisions in the Licensure Regulations for School Personnel (8 VAC 20-21-10 et seq.) to reflect NCLB included the following:

- Specific requirements for a highly-qualified elementary teacher hired prior to the 2002-03 school year

- Specific requirements for a highly-qualified middle and high school teachers hired prior to the 2002-03 school year
- Provisional License elimination and establishment of the Alternate Route License and the Alternate Route Core Subject Area License
- Local License in core academic subjects discontinued
- Middle education 6-8 endorsement
- Annual high quality professional development
- Endorsements by examination

Dr. Thomas Elliott also presented a few additional proposed changes for the Teacher Licensure Regulations and Code of Virginia that were unrelated to the federal legislation. Those changes included the following:

- Eliminate the Visiting Teacher Endorsement
- Change the name of the Work and Family Studies Endorsement
- Require additional preparation in child abuse recognition and intervention for initial licensure and renewal
- Grant in five-year renewal cycle points for service on boards mandated in the Code of Virginia

Members of the committee expressed their concern and were not in favor of granting five-year renewal cycle points for service on boards mandated in the Code of Virginia.